



ANALYSIS

1. Title Short Title	2. Penalty for not obtaining a licence or approval
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1992, No. 2

An Act to amend the Shipping Licence Ordinance 1963

(16 September 1992)

BE IT ENACTED by the Parliament of the Cook Islands in Session assembled and by the authority of the same as follows:

1. Short Title - This Act may be cited as the Shipping Licence Ordinance Amendment Act 1992 and shall be read together with and deemed part of the Shipping Licence Ordinance 1963 (hereinafter referred to as "the Ordinance").

2. Penalty for not obtaining a licence or approval - The Ordinance is hereby amended by repealing section 11 (as inserted by the Shipping Licence Amendment Act 1990) and substituting the following new section -

"11. Penalty for not obtaining a licence or approval - (1) Any person and any agent of any person who operates a ship to, from, or in the Cook Islands without first obtaining a licence or approval in accordance with the provisions of this Ordinance or in contravention of the terms or conditions of any licence commits an offence, and shall upon conviction be liable to any one or more of the following penalties -

- (a) a fine of \$100,000 or more;
- (b) a fine of \$5,000 or more for each day or part of a day during which the offence continues;
- (c) forfeiture of the ship to the Cook Islands Government.

(2) Where the conviction relates to a breach or breaches of the terms or conditions of any licence, the Minister shall have the authority to cancel any such licence immediately and without notice.

(3) The Minister may in his discretion and without any further authority than this subsection suspend any licence for any period of time and on such terms and conditions as he may deem fit if he is satisfied that a breach of licence has been committed or is about to be committed."

This Act is administered in the Department of Trade, Labour & Transport